

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 1229 - HB 1334

March 4, 2013

SUMMARY OF BILL: Repeals the judicial evaluation and nominating commission.

Requires the election of all judges in courts of records, appellate judges, and justices of the Tennessee Supreme Court. Any vacancy is to be filled at the next August election and the Governor is to appoint a person to discharge the duties of such office until the first day of September next succeeding the election.

Requires the general assembly to create five judicial districts from which to elect supreme court justices. Knox, Hamilton, Davidson, Madison, and Shelby counties shall serve as the “core counties” for each district. Beginning in August 2014, supreme court justices shall be elected to eight year terms. Any vacancy shall be filled by election at the next regular August election. In the interim, the Governor shall appoint a person to discharge the duties of the vacant justice until the next election. Each political party may nominate a candidate for election to each such office and independent candidates may also qualify for each such office.

Requires the general assembly to create six judicial districts for election of appellate court judges. Sullivan, Knox, Hamilton, Davidson, Madison, and Shelby counties shall serve as the “core counties” for each district. Beginning in August 2014 and every eight years after, the district shall elect two judges to serve on the court of appeals and two judges to serve on the criminal court of appeals and each judge shall serve an eight-year term. Any vacancy shall be filled by election at the next regular August election. In the interim, the Governor shall appoint a person to discharge the duties of the vacant justice until the next election.

ESTIMATED FISCAL IMPACT:

**Decrease State Expenditures – \$32,800/Judicial Evaluation
\$35,800/Judicial Nominating Commission**

Assumptions:

- According to the Administrative Office of the Courts (AOC), repealing the judicial evaluation and nominating commission will reduce expenditures by \$32,800 for repealing the judicial performance evaluation and \$35,800 for repealing the judicial nominating commission.

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- According to the AOC, the proposed changes to the election of judges will not significantly impact the AOC, as the same number of judges will be serving in the courts.
- According to the Ethics and Campaign Commission and the Secretary of State, the bill will not have a significant impact.
- According to Legal Services, any impact from drafting the new judicial districts can be accommodated within existing resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/trm